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Application **GRANTED**. Defendant may take a *de bene esse* deposition of a representative from the Structured Finance Association. By **August 26, 2022**, Defendant shall file a proposed timeline for all of the *de bene esse* depositions.

VIA ECF

Dated: August 19, 2022
New York, New York

Hon. Lorna G. Schofield
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: 360 Mortgage Group, LLC v. Fortress Investment Group LLC, No. 1:19-cv-8760-LGS

Dear Judge Schofield:

Pursuant to the Court's June 13, 2022 order (Dkt. 224), we write on behalf of defendant Fortress Investment Group LLC ("Fortress") to further update the Court with respect to its efforts to schedule *de bene esse* depositions of Ginnie Mae personnel who were not previously deposed.

HUD has approved Fortress's request for *de bene esse* deposition testimony from Michael Bright, Maren Kasper, Gregory Keith, Michael Drayne, and Harlan Jones, subject to the conditions set forth in its response to Fortress (attached hereto as Exhibit 1).

The parties will meet and confer with each other and HUD in the coming weeks regarding scheduling and logistics for the court-ordered *de bene esse* depositions. Fortress is available for a status conference or to otherwise discuss the deposition scheduling process. In addition, Fortress respectfully renews its earlier May 31, 2022 request for a similar *de bene esse* deposition of a representative from the Structured Finance Association, which the Court has not yet ruled upon. *See* Dkt. 221. Thank you in advance for your consideration of this request as well.

Respectfully submitted,

/s/ John J. Kuster

John J. Kuster

cc: Counsel of Record